

HONORABLE ELIZABETH L. PERRIS
CHAPTER 13
TACOMA, WA
TRIAL DATE: JULY 14, 2010

UNITED STATES BANKRUPTCY COURT
DISTRICT OF WESTERN WASHINGTON, AT TACOMA

In re:

THEODORE L. COPELAND,

Debtor,

THEODORE L. COPELAND,

Plaintiff,

vs.

EMIEL A. KANDI and his marital community;
DIVERSIFIED FINANCIAL, INC.; JASON M.
WONG; and JUANITA C. KANDI,

Defendants.

CASE NO. 08-45008 ELP

ADVERSARY NO. 10-04026 ELP

**OBJECTIONS OF
DEFENDANTS JUANITA C.
KANDI, EMIEL A. KANDI and
DIVERSIFIED FINANCIAL,
INC. TO PLAINTIFF'S
AMENDED EXHIBITS LIST**

OBJECTIONS OF DEFENDANTS
JUANITA C. KANDI, EMIEL A. KANDI
and DIVERSIFIED FINANCIAL, INC.
TO PLAINTIFF'S AMENDED
EXHIBITS LIST - 1 -

MILLER, QUINLAN & AUTER, P.S., INC.
1019 Regents Blvd., Suite 204
Fircrest, WA 98466
Telephone: (253) 565-5019
Fax: (253) 564-5007

COMES NOW Defendants Kandi(s) and Diversified Financial, Inc., by and through their attorney of record, Thomas P. Quinlan and the law firm of Miller, Quinlan & Auter, P.S., Inc. and hereby object to Plaintiff's Trial Exhibit List and Amended Trial Exhibits List as follows:

Exhibit	Title or Description	Objection
1	Superior Court case No. 08-2-13603-1 case summary	FED. R. EVID. 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
2	Case No. 08-2-13603-1: Motion to Set Aside Declaration	FED. R. EVID. 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
3	Case No. 08-2-13603-1: Affidavit/Declaration of Service	FED. R. EVID. 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
4	Case No. 08-2-13603-1: Declaration of Emiel Kandi	FED. R. EVID. 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
5	Case No. 08-2-13603-1: Declaration of Marla Spencer	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-

OBJECTIONS OF DEFENDANTS
JUANITA C. KANDI, EMIEL A. KANDI
and DIVERSIFIED FINANCIAL, INC.
TO PLAINTIFF'S AMENDED
EXHIBITS LIST - 2 -

MILLER, QUINLAN & AUTER, P.S., INC.
1019 Regents Blvd., Suite 204
Fircrest, WA 98466
Telephone: (253) 565-5019
Fax: (253) 564-5007

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

		Hearsay; FED. R. EVID 902- Lacks self authentication
6	Case No. 08-2-13603-1: Declaration of Jason Wong	FED. R. EVID 402-lacks relevance; FED. R. EVID 403- prejudicial, confusion of issues, waste of time; FED. R. EVID 802- Hearsay; FED. R. EVID 902- Lacks self authentication
7	Case No. 08-2-13603-1: Declaration of Martin Burns	FED. R. EVID 402-lacks relevance; FED. R. EVID 403- prejudicial, confusion of issues, waste of time; FED. R. EVID 802- Hearsay; FED. R. EVID 902- Lacks self authentication
8	Case No. 08-2-13603-1: Declaration of Klaus Elliot	FED. R. EVID 402-lacks relevance; FED. R. EVID 403- prejudicial, confusion of issues, waste of time; FED. R. EVID 802- Hearsay; FED. R. EVID 902- Lacks self authentication
9	Case No. 08-2-13603-1: Response in Opposition	FED. R. EVID 402-lacks relevance; FED. R. EVID 403- prejudicial, confusion of issues, waste of time; FED. R. EVID 802- Hearsay; FED. R. EVID 902- Lacks self authentication
10	Case No. 08-2-13603-1: Declaration of Emiel Kandi	FED. R. EVID 402-lacks relevance; FED. R. EVID 403- prejudicial, confusion of issues, waste of time; FED. R. EVID 802- Hearsay; FED. R. EVID 902- Lacks self authentication
11	Case No. 08-2-13603-1: Motion for Partial Summary Judgment	FED. R. EVID 402-lacks relevance; FED. R. EVID 403- prejudicial, confusion of issues, waste of time; FED. R. EVID 802- Hearsay; FED. R. EVID 902- Lacks self authentication
OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 3 – MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

12	Case No. 08-2-13603-1: Declaration of Emiel Kandi	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
13	Case No. 08-2-13603-1: Declaration of Jason Wong	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
14	Case No. 08-2-13603-1: Response in Opposition to Motion for Summary Judgment	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
15	Case No. 08-2-13603-1: Declaration of Martin Burns in Opposition to Motion	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
16	Case No. 08-2-13603-1: Declaration of Donna Canty	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
17	Case No. 08-2-13603-1: Jefferson F. Marsh, Jr.	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 4 – MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

18	Case No. 08-2-13603-1: Declaration of Denise Lopez	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
19	Case No. 08-2-13603-1: Declaration of Theodore Lenall Copeland	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
20	Case No. 08-2-13603-1: Declaration of Martin Burns in Support of Motion to Restrain	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
21	Case No. 08-2-13603-1: Reply	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
22	Case No. 08-2-13603-1: Declaration of Emiel Kandi	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
23	Case No. 08-2-13603-1: Declaration of Jason Wong	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 5 – MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

24	Case No. 08-2-13603-1: Memorandum in Opposition	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
25	Case No. 08-2-13603-1: Motion for Partial Summary Judgment	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
26	Case No. 08-2-13603-1: Declaration of Juanita Kandi	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
27	Case No. 08-2-13603-1: Notice of Absence/Unavailability	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
28	Notice of Trustee Sale	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
29	Water Well Report	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
30	Real Estate Contract	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-
<div> <div> OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 6 – </div> <div> MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007 </div> </div>		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

		prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
31	Excise Tax Affidavit	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
32	Excise Tax Affidavit	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
33	Excise Tax Affidavit	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
34	Deed of Trust	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
35	Excise Tax Affidavit	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
36	Deed of Trust	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-
OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 7 – MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

		Hearsay; FED. R. EVID 902-Lacks self authentication
37	Case No. 08-45008: Exhibit A of Motion to Clarify (Wongs Bar suspension)	FED. R. EVID 402-lacks relevance; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
38	Case no. 08-45008: Exhibit B of Motion to Clarify (Emiel Ali Kandi's Corporations)	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay
39	Return to sender mail (D Street Marina)	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
40	Case no. 08-45008: Partial transcript of 9/09/09 digitally recorded hearing	Incomplete document
41	Case no. 08-45008: Declaration of Theodore L. Copeland	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
42	Case no. 10-04026: Complaint	FED. R. EVID 402-lacks relevance
43	King County case no. 09-2-25191-6 (Provost v. Kandi): Case Summary	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication
44	King County case no. 09-2-25191-6 (Provost v. Kandi): Complaint	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-
<div> <div> OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 8 – </div> <div> MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007 </div> </div>		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

		Lacks self authentication
45	King County case no. 09-2-25191-6 (Provost v. Kandi): Declaration of Len Copeland	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
46	King County case no. 09-2-25191-6 (Provost v. Kandi): Judgment	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
47	Pierce County case no. 06-2-11086-8 (Dalal Al-Saud v. Diversified Financial): Complaint	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
48	Pierce County case no. 08-2-07900-2 (Ridley v. Kandi): Complaint	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
49	Pierce County case no. 09-2-11247-4 Case Summary	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
50	Pierce County case no. 09-204683-8 (Marsh v. Kandi) Case Summary	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-
OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 9 – MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007		

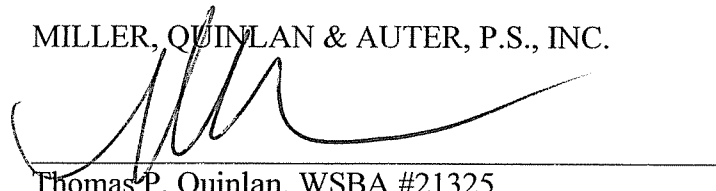
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

		prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
51	Pierce County case no. 09-204683-8 (Marsh v. Kandi) Complaint	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
52	Pierce County case no. 09-2-11247-7 (Martin v. Kandi) Complaint	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
53	Letter from Emiel Kandi to David Leen	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
54	LINX name search of Defendants Kandi	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
55	Declaration of Lee Hermann	FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-
OBJECTIONS OF DEFENDANTS JUANITA C. KANDI, EMIEL A. KANDI and DIVERSIFIED FINANCIAL, INC. TO PLAINTIFF'S AMENDED EXHIBITS LIST - 10 – MILLER, QUINLAN & AUTER, P.S., INC. 1019 Regents Blvd., Suite 204 Fircrest, WA 98466 Telephone: (253) 565-5019 Fax: (253) 564-5007		

1		Lacks self authentication; FED. R. EVID 404-character
2	56	Juanita Kandi's Answers to Interrogatories from state court case
3		FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication FED. R. Civ. P. 26(a)(3)
4		
5	57	Sprint cell phone records for no. (253) 405-6844
6		FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay
7		
8	58	Qwest land line records for no (253) 565-7700
9		FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
10		
11	59	Internet blog post by Emiel Kandi
12		FED. R. EVID 402-lacks relevance; FED. R. EVID 403-prejudicial, confusion of issues, waste of time; FED. R. EVID 802-Hearsay; FED. R. EVID 902-Lacks self authentication; FED. R. EVID 404-character
13		
14		
15		
16		

Dated this 7th day of July, 2010.

MILLER, QUINLAN & AUTER, P.S., INC.



Thomas P. Quinlan, WSBA #21325

Attorney for Defendants Kandi(s)/Diversified Financial

OBJECTIONS OF DEFENDANTS
JUANITA C. KANDI, EMIEL A. KANDI
and DIVERSIFIED FINANCIAL, INC.
TO PLAINTIFF'S AMENDED
EXHIBITS LIST - 11 -

MILLER, QUINLAN & AUTER, P.S., INC.
1019 Regents Blvd., Suite 204
Fircrest, WA 98466
Telephone: (253) 565-5019
Fax: (253) 564-5007

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6

2
3
4
5
6

7

- 8
-
- 9

10

11

12

13

14

15

16
17

18

19

20

21

22
23
24
25

22

23

24